IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 894 of 1997
with
Civil Application No.6093 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GANGABEN VRAJLAL PIPALIA

Versus

VAJUBHAI ALIAS VRAJLAL MOHANLAL PIPALIA

Appearance:
MR YF MEHTA for Petitioner Nos. 1-2
MRS MADHUBEN SHARMA for the Respondent.

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 08/03/2004

ORAL JUDGEMENT

The learned Advocate for the petitioners states that this CRA is filed against an interim order passed in Civil Suit No.1713 of 1995. It is submitted that in

order to file a Special Civil Application under Article 227 of the Constitution of India, as this revision is not maintainable in view of the amendment in Section 115 of the Code of Civil Procedure, he wants permission to withdraw this Civil Revision Application. Permission is granted. It is clarified that this Court has not expressed any opinion on the merits of the issue. It will be open for the petitioners to challenge the impugned order, if they so desire, by filing a petition under Article 227 of the Constitution of India.

This CRA is accordingly disposed of as withdrawn, subject to what is stated above. Rule is discharged. No costs.

In view of the above order passed in the CRA, no order in C.A. No.6093 of 1997.

8th March, 2004 (P.B. Majmudar, J.)

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(apj)